

Docket No. 20206-21

## DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, We hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled System and Method for Controlling Network Traffic Flow in a Multi-Processor Network the specification of which

- is attached hereto  
 was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendments referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or U.S. provisional application(s) for patent or inventor's certificate having a filing date before that of the application, of which priority is claimed.

## Prior Foreign/U.S. Provisional Application(s)

			Priority Claimed
60/227,737 (Number)	US (Country)	08/24/00 (Day, month, year filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(e) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint T.S. PARK, REG. 26,971; R.P. LANGE, REG. 27,296; L. BRUCCULERI, REG. 38,834; D. DROZENSKI, REG. 39,177; C.A.S. HAMRICK, REG. 22,586; R.O. GUILLOT, REG. 28,832; J. BOYCE, REG. 40,920; C. CHOU, REG. 41,672; A.B. DIEPENBROCK III, REG. 39,960; M.K. BOSWORTH, REG. 28,186; L. SHERRY, REG. 43,918;

Declaration, Power of Attorney & Petition

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T. KHAN, REG. 46,273; L. GUERNSEY REG. 40,008; M. HUGHES, REG. 29,077; R. ROBERTS, REG. 38,597; S. HOWELL, REG. 45,929; R. NADER, P47,260; B. COLEMAN, REG. 39,145; R. HAYDEN, REG. 42,645; P. HICKMAN, REG. 28,516; B. KENNEDY, REG. 33,407; J. KUDLA, REG. P47,724; D. BURTON, REG. 45,323; S. KELLEY, REG. 43,449; OPPENHEIMER WOLFF & DONNELLY LLP, 1400 Page Mill Road, Palo Alto, California 94304, (650) 320-4000, as my attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities.

Address all telephone calls to LEAH SHERRY at (650) 320-4000 and address all correspondence to:

Leah Sherry, Esq.  
OPPENHEIMER WOLFF & DONNELLY LLP  
1400 Page Mill Road  
Palo Alto, California 94304-1124

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of Sole or First Inventor: Sachin U. Naik  
 Home Address: State Bank Colony, Sinhagad Road, 132/A Parvat, Pune, India 411030  
 Post Office Address: Same as above  
 Citizenship: India  
 Inventor's Signature:  Date: 07/06/2001

Full Name of Second Inventor: Robert L. Jardine  
 Home Address: 10500 Mirra Vista Avenue, Cupertino, CA 95014  
 Post Office Address: Same as above  
 Citizenship: USA  
 Inventor's Signature:  Date: 07/15/2001

Full Name of Third Inventor: Takubumi Torii  
 Home Address: 1335-1 Sage Hill Way, Sunnyvale, CA 94087  
 Post Office Address: Same as above  
 Citizenship: Japan  
 Inventor's Signature:  Date: 07/15/2001

Form PTO-1995		U.S. Department of Commerce	
RECORDATION FORM COVER SHEET			
Docket No.: 20206-21 (P00-3367) PATENTS ONLY			
To the Hon. Commissioner of Patents & Trademarks: Please record the attached original documents or copy thereof.			
1. Name of conveying party(ies): <b>Sachin U. Naik, Robert L. Jardine and Tatsuhiko Torii</b>  Additional name(s) of conveying party attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies):  Name: <b>Compaq Information Technologies Group, L.P.</b>  Internal Address:  Street Address: <b>P.O. Box 69200</b> <b>20555 SH 249</b>  City: <b>Houston</b> State: <b>TX</b> ZIP: <b>77070-2698</b>	
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other: _____		    City: <b>Houston</b> State: <b>TX</b> ZIP: <b>77070-2698</b>  Additional name(s) and address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4. Application number(s) or patent numbers:  If this document is being filed together with a new application, the execution date of the application is: _____			
A. Patent Application No.(s) <small>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</small>		B. Patent No.(s)	
5. Name and address party to whom correspondence concerning document should be mailed:  Name: <b>Leah Sherry</b>  Internal Address: <b>Oppenheimer, Wolff &amp; Donnelly, LLP</b>  Street Address: <b>P.O. Box 10356</b>  City: <b>Palo Alto</b> State: <b>California</b> ZIP: <b>94303</b>		6. Total number of applications and patents involved: <b>1</b>  7. Total fee (37 CFR 3.41) <b>\$40.00</b>  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Previously submitted check no. 126211 on 7/26/01 with assignment and recordation form cover sheet, which is unable to be matched up with file due to filing prior to receipt of Notice of Missing Parts. <input checked="" type="checkbox"/> Any discrepancy or overpayment is authorized to be charged to deposit account	
		8. Deposit Account number:  <b>02-3964</b> <small>(Attach duplicate copy of this page if paying by deposit account)</small>	
<b>DO NOT USE THIS SPACE</b>			
9. Statement and signature.  <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>			
Leah Sherry Reg. No. 43,918 Name of Person Signing		 Signature Total number of pages including cover sheet, attachments, and document: <b>1</b>	
		October 5, 2001 Date	

File No.: 20206-21 (POO-3367)

ASSIGNMENT

WHEREAS, We, Sachin U. Naik, Robert L. Jardine and Tatsuhiro Torii, are joint inventors of System and Method for Controlling Network Traffic Flow in a Multi-Processor Network application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over the COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P. for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., its successors, assigns, or other legal representatives and that if COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., its successors, assigns or other legal representative shall desire to file any divisional or continuation applications or to secure a reissued of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., its successors,

*U.S. Assignment*

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assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

Inventor's Signature: Sachin Date: 07/06/2001

Typed Name: Sachin U. Naik

Home Address: State Bank Colony, Sinbagad Road, 132/A Parwati, Pune India - 411030

Citizenship: India

Inventor's Signature: Robert Jardine Date: 07/18/2001

Typed Name: Robert L. Jardine

Home Address: 10500 Mira Vista Avenue, Cupertino, CA 95014

Citizenship: USA

Inventor's Signature: T. Torii Date: 07/18/2001

Typed Name: Tatsuhiko Torii

Home Address: 1355-J Sage Hen Way, Sunnyvale, CA 94087

Citizenship: Japan

*U.S. Assignment*

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RECO:

U.S. Department of Commerce

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Docket No.: 20206-21 (P00-3367)

To the Hon. Commissioner of Patents &amp; Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Sachin U. Naik, Robert L. Jardine and Tatsuhiko Torii

Additional name of conveying party attached?  Yes  No3. Nature of conveyance: T-31-0

- Assignment  Merger  
 Security Agreement  Change of Name  
 Other: \_\_\_\_\_

Execution Date: July 6, 2001 and July 18, 2001

2. Name and address of receiving party(ies):

Name: Compaq Information Technologies Group, L.P.

Internal Address: \_\_\_\_\_

Street Address: P.O. Box 69200  
20555 SH 249City: Houston State: TX ZIP: 77070-2698Additional name(s) and address(es) attached?  Yes  No

4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 09/895,577

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address party to whom correspondence concerning document should be mailed:

Name: Leah SherryInternal Address: Oscorpheimer, Wolff & Donnelly, LLPStreet Address: 1400 Page Mill RoadCity: Palo Alto State: California ZIP: 943046. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$40.00 Enclosed Any discrepancy or overpayment is authorized to be charged to deposit account

8. Deposit Account number:

03-3964

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Leah Sherry Reg. No. 43,918

Name of Person Signing

Signature

July 25, 2001

Date

Total number of pages including cover sheet, attachments, and document: 1

08/06/2001 070411 00000003 00076977

01 FC:581

40.00 OP

SV: 218584 v01 07/24/2001

File No.: 20206-21 (P00-3367)

ASSIGNMENT

WHEREAS, We, Sachin U. Naik, Robert L. Jardine and Tatsuhiro Torii, are joint inventors of System and Method for Controlling Network Traffic Flow in a Multi-Processor Network application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over the COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P. for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., its successors, assigns, or other legal representatives and that if COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., its successors, assigns or other legal representative shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P., its successors,

U.S. Assignment

Page 1  
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File No.: 20206-21 (P00-3367)

assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

Inventor's Signature: Sachin Date: 07/06/2005

Typed Name: Sachin U. Naik

Home Address: State Bank Colony, Sinbagad Road, 132/A Parwati, Pune India - 411030

Citizenship: India

Inventor's Signature: Robert Jardine Date: 07/18/2005

Typed Name: Robert L. Jardine

Home Address: 10500 Mira Vista Avenue, Cupertino, CA 95014

Citizenship: USA

Inventor's Signature: T. Torii Date: 07/18/2005

Typed Name: Tatsuhiko Torii

Home Address: 1355-J Sage Hen Way, Sunnyvale, CA 94087

Citizenship: Japan

*U.S. Assignment*

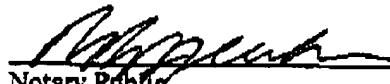
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06282005/08:45/20206-21

File No.: 20206-21 (P00-3367)

NOTARIAL CERTIFICATE

On July 6, 2001 before me, MALEK ALLIBHAI, a notary public, personally appeared SACHIN U. NAIK, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are <sup>as per</sup> subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

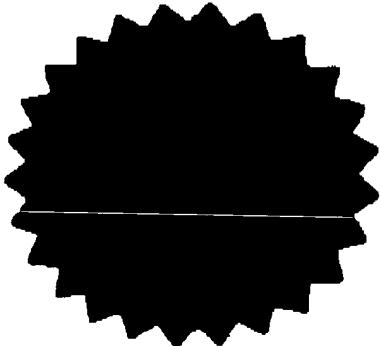


Notary Public

A Notary Public Is And For The Province  
of British Columbia

Permanently Commissioned

SEAL



**MALEK ALLIBHAI**  
Notary Public  
#201 - 6411 Buswell Street  
Richmond, B.C. V6Y 2G5  
Tel: 244-8993

U.S. Assignments

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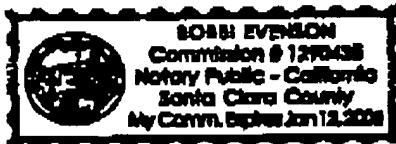
STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA )  
                        ) ss.

## NOTARIAL CERTIFICATE

On July 18, 2001 before me, Bobbi Evenson, a notary public, personally appeared Tatsuhiko Torii, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SEAL



Bobbi Evenson  
Notary Public

U.S. Assignments

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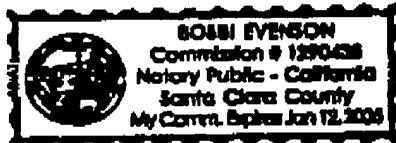
## NOTARIAL CERTIFICATE

STATE OF CALIFORNIA                )  
  )  
COUNTY OF SANTA CLARA             )

On July 18, 2001 before me, Bobbi Evenson, a notary public, personally appeared Robert L. Jardine personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SEAL



Bobbi Evenson  
Notary Public

U.S. Assignment

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